

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JOSEPH and VICTORIA FORMOSA,

Plaintiffs,

v.

**GREAT NORTHWEST INSURANCE
COMPANY,**

Defendant.

Civ. No. 6:13-cv-00789-TC

OPINION AND ORDER

MCSHANE, Judge:

Plaintiffs Joseph and Victoria Formosa bring this action seeking damages for alleged breach of an insurance policy covering their home. Plaintiffs and defendant filed motions for summary judgment. Magistrate Judge Thomas M. Coffin issued a Findings and Recommendation (F & R) on July 21, 2014, in which he recommended that this Court deny plaintiffs' motion and award summary judgment to defendant on all claims except for plaintiffs' replacement structure claim.¹ The matter is now before this Court. 28 U.S.C. § 636(b)(1)(B); Fed. R. Civ. P. 72(b).

Because no objections to the F & R were timely filed, this Court reviews only the legal principles *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444–45 (9th Cir. 1988) (citations omitted).

¹ The parties agree that plaintiffs' replacement structure claim is not fully ripe. *See* Findings & Recommendation 4, ECF No. 47.

Having reviewed the legal principles *de novo*, this Court finds no error in Judge Coffin's F & R, ECF No. 47.

CONCLUSION

This Court ADOPTS Judge Coffin's F & R, ECF No. 47, in full. Accordingly, plaintiffs' motion for partial summary judgment, ECF No. 15, is DENIED, and defendant's motion for summary judgment, ECF No. 19, is GRANTED IN PART and DENIED IN PART.²

IT IS SO ORDERED.

DATED this 4th day of September, 2014.

s/ Michael J. McShane
Michael J. McShane
United States District Judge

² Defendant's motion is denied as to plaintiffs' replacement structure claim. That claim is not yet ripe and is dismissed without prejudice.